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PATENT APPLICATION NO.
09/658,298

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Kenneth D. Simone, Jr.**
Serial No.: **09/658,298**
Filed: **September 8, 2000**
Group No.: **2142**
Confirmation No.: **3516**
Examiner: **Beatriz Prieto**
For: **METHOD AND APPARATUS FOR COMMUNICATING
DURING AUTOMATED DATA PROCESSING**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION (37 C.F.R. §1.321 (c)) AND
CERTIFICATE UNDER 37 C.F.R. §3.73 (b)**

I, Christopher DiFrancesco, Vice President-Legal, General Counsel, and Corporate Secretary of Corel Corporation, represent that Corel Corporation is the assignee and the exclusive owner of the entire right, title and interest of, in and to application Serial No. 09/658,298, filed on September 8, 2000, for *Method and Apparatus for Communicating During Automated Data Processing*, as indicated by the Assignment Records of the U.S. Patent and Trademark Office:

1. From: Kenneth D. Simone, Jr.
To: Image2Web, Inc.
Assignment recorded September 8, 2000 at Reel 011098, Frame 0324;
2. From: Image2Web, Inc.
To: Corel Corporation (USA)
Assignment recorded April 23, 2002 at Reel 012840, Frame 0269;

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3. From: Corel Corporation (USA)
To: Corel Inc.
Assignment recorded April 23, 2002 at Reel 012840, Frame 0105;
4. From: Corel Inc.
To: Corel Corporation
Assignment recorded March 11, 2005 at Reel 016352, Frame 0938;

and certify that to the best of assignee's knowledge and belief, title is in the assignee seeking to take action, and that I am empowered to act on behalf of assignee.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Furthermore, I declare that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Corel Corporation hereby disclaims the terminal part of any patent granted on U.S. Patent Application Serial No. 09/658,298, that would extend beyond the expiration date of U.S. Patent No. 6,850,956 granted February 1, 2005, also assigned to and owned by said Corel Corporation as indicated by the Assignment Records of the U.S. Patent and Trademark Office:

1. From: Loren G. Knutson
To: Image2Web, Inc.
Assignment recorded September 8, 2000 at Reel 011095, Frame 0375;
2. From: Image2Web, Inc.
To: Corel Corporation (USA)
Assignment recorded April 23, 2002 at Reel 012840, Frame 0126;
3. From: Corel Corporation (USA)
To: Corel Inc.
Assignment recorded April 23, 2002 at Reel 012840, Frame 0134;
4. From: Corel Inc.
To: Corel Corporation
Assignment recorded March 14, 2005 at Reel 016369, Frame 0020;


and hereby agree that any patent so granted on U.S. Patent Application Serial No. 09/658,298 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,850,956; this agreement to run with any patent granted on U.S. Patent Application Serial No. 09/658,298 and to be binding upon the grantee, its successor or assigns.

Petitioner, however, does not disclaim any terminal part of any patent granted on U.S. Patent Application Serial No. 09/658,298 prior to the expiration of the full statutory term of U.S. Patent No. 6,850,956, in the event that one or more of the following occurs: U.S. Patent No. 6,850,956 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The \$130.00 fee required by 37 C.F.R. 1.20(d) is submitted herewith and believed to be correct. However, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fees to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,

December 20, 2005
Date


Christopher DiFrancesco, Esq.
Vice President-Legal, General Counsel,
and Corporate Secretary of Corel Corporation

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